DEFINITIONS AND APPLICATION

The Customer warrants that he is either the Owner, or the authorised agent of the Owner and, also, that he is accepting these conditions for himself or on behalf of the Owner.

When the Company contracts as a principal for any services, it shall have full liberty to perform such services itself, or, where the Company contracts as an agent on behalf of the Customer, the Company shall be entitled, and the Customer hereby authorises, the Company to purchase or arrange for the purchase of any goods and/or services required for such services, and the Customer will pay for such goods and/or services at such rates and charges as may be agreed between the Company and the Customer.

All claims, costs and demands whatsoever and by whomsoever made or preferred, in excess of the liability of the Company, shall be barred, except where the Customer can show that it was impossible for him to comply with this time limit, and that he has no prejudice thereby.

In the event of any failure by the Customer to make full and punctual payment of any sum payable to the Company (in accordance with clause 21(A) above): (i) the goods shall become immediately payable in full; and (ii) the Company shall be entitled to retain possession of the goods in its premises or in the custody of any other person on whose behalf the goods are held, and to dispose of the goods at the expense of the Customer.

Any dispute arising out of any act or contract to which these Conditions apply shall, save as provided in (C) below, be referred to an arbitrator (or to a Board of Arbitrators, as the case may be) appointed by the Company and the Customer. The Company and Customer may agree, and subject to (iii) below), the reference shall be to a sole arbitrator and the arbitration shall be governed by the Laws of the State of New York. The Company and the Customer may agree to submit the dispute to arbitration in any other country or under any other rules. Subject to the above and the provisions of sub-paragraph (A) above, the Company shall constitute a waiver or release to the reference of the Customer from any liability under 21(A) and 28(B) above during the term of these conditions unless, and only if, the Customer is a government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or government department, government authority, or 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